



# Town of Groton, Connecticut

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Groton, CT 06340-4394  
Town Clerk 860-441-6640  
Town Manager  
860-441-6630

## Meeting Minutes

### Town Council

**Mayor Rita M. Schmidt, Councilors Dean Antipas, Genevieve Cerf, Joe de la Cruz, Bruce S. Flax, Bob Frink, Rich Moravsik, Deborah L. Peruzzotti and Harry A. Watson**

**Tuesday, December 2, 2014**

**7:30 PM**

**Town Hall Annex - Community Room 1**

#### REGULAR MEETING

#### **I. ROLL CALL**

Members Present: Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik, Councilor Watson and Councilor Antipas  
Members Absent: Councilor Peruzzotti

*Also present were the Town Manager, Mark Oefinger, and the Town Clerk, Betsy Moukawsher.*

#### **II. SALUTE TO THE FLAG**

*The Salute to the Flag was led by Jordan Brayman of Mystic.*

#### **III. RECOGNITION, AWARDS & MEMORIALS**

*None.*

#### **IV. RECEIPT OF CITIZENS' PETITIONS, COMMENTS AND CONCERNS**

*Rosanne Kotowski, 24 Ann Avenue, Mystic. She stated that at a recent Town Council meeting, Councilor Peruzzotti made the statement that she is not planning to support increasing the Board of Education and the City of Groton Police budgets for 2016. Ms. Kotowski encouraged the Town Manager, Town Council and BOE to put forth budgets that do not increase spending or taxes. She also expressed her concern that voters' decisions rejecting the mega middle school scenario at the 2010 referendum and the vehicle wash station at the 2002 referendum are being ignored by the Town Council, BOE, and RTM. She questioned why funds for demolishing the Noank School are being brought up after the RTM voted not to fund the project in the 2014 budget. She also reported that CT DEEP is holding a hearing on new storm water rules and changes, and encouraged the Town Manager and the Public Works Director to review the mandated changes and to comment at the hearings.*

#### **V. RESPONSES TO CITIZENS' PETITIONS, COMMENTS AND CONCERNS**

*Councilor Flax explained his impressions of the RTM action during the FYE 2015 budget deliberations.*

*Councilor Watson explained some of the differences between the failed school plan referenda and the proposal for building the new middle school and that the new school would be eligible to receive up to 80% reimbursement for some building costs.*

*Councilor Cerf commented that the difficulty of meeting State-required racial balancing is an important issue to consider for new construction.*

*Councilor Antipas stated that he does not support having only one middle school in Groton. He questioned Ms. Kotowski if she had an alternative proposal for the Noank School.*

*Councilor Flax commented on his perception of the differences between the old proposal and the new school construction and encouraged Ms. Kotowski to review the new plan and to save her criticism until she has reviewed the new plan.*

*Councilor Frink reminded the members of Town Council Rule 12. He opined that citizens may be questioned to clarify their intent, but Councilors have now begun debating the issues. This is not in accordance with the rules.*

## **VI. CONSENT CALENDAR**

### **a. Approval of Minutes**

#### **2014-0329 Approval of Minutes (Town Council)**

##### **RESOLUTION ACCEPTING TOWN COUNCIL MINUTES**

RESOLVED, that the minutes of the Town Council meeting of November 18, 2014 are hereby accepted and approved.

**This Matter was Adopted on the Consent Calendar.**

### **b. Administrative Items**

#### **2014-0323 Special Trust Fund Contributions**

##### **RESOLUTION ACCEPTING CONTRIBUTIONS TO SPECIAL TRUST FUNDS**

RESOLVED, that the Town Council hereby accepts contributions to the Town as follows:

Mystic Photography Group - \$25.00 - Library Miscellaneous

CSEA Retirees Council Chapter 416 - \$200.00 - Library Miscellaneous

Jonathan. L. Johnson, Jr. - \$35.00 - Library Miscellaneous

Frogeez (Jr. Friends of the Library Fundraiser) - \$15.00 - Library Miscellaneous

City of Groton - \$20.00 - Groton Utilities Energy Assistance Program

Robert and Phyllis Boggs - \$7.47 - Groton Utilities Energy Assistance Program

Anne-Marie Quagliaroli - \$20.00 - Groton Utilities Energy Assistance Program

Robert Ashworth - \$100.00 - Groton Utilities Energy Assistance Program

Russell Barber - \$30.00 - Groton Utilities Energy Assistance Program

CT Elks Association - \$400.00 - Groton Utilities Energy Assistance Program

Cheryl Dominy - \$100.00 - Groton Utilities Energy Assistance Program

New Life Carpet Cleaning - \$50.00 - Groton Utilities Energy Assistance Program

Frank and Kathleen O'Beirne - \$100.00 - Groton Utilities Energy Assistance Program

Poquonnock Village Activity Group - \$100.00 - Groton Utilities Energy Assistance Program

Albert and Janiss Rudolph - \$100.00 - Groton Utilities Energy Assistance Program

**This Matter was Adopted on the Consent Calendar.**

### **c. Deletions from the Town Council Referral List**

#### **2014-0326 Transfer of Funds for Land Use Regulatory Review and Market Analysis and Review**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

#### **2014-0327 Noank School Demolition**

**This Matter was Deleted from Referral List - Action to be taken on the Consent Calendar.**

### **Passed The Consent Calendar**

A motion was made by Councilor Watson, seconded by Councilor Moravsik, to adopt the Consent Calendar, including all the preceding items marked as having been adopted on the Consent Calendar.

**The motion carried unanimously**

## **VII. COMMUNICATIONS & REPORTS (Other than Committee Reports)**

### **a. Town Councilors**

*Councilor Antipas attended the Groton Human Services holiday distribution of holiday baskets.*

*Councilor Cerf attended the Fitch High School Aluminum Falcons Robotics Team presentation. She reported that the team has formed a 501C3 corporation to raise funds. She received an email from Ed Johnson regarding his concerns about the use of the Noank School and requested that the*

*Town Council hold off on demolishing the building. She reported that CURE is hosting an event in New Haven on December 4th from 2:00 - 3:45 pm.*

*Councilor Flax attended the Fitch Senior High Aluminum Falcons Robotics Team presentation and the December 1, 2014 Golf Advisory Board meeting. He reported that greens fees were discussed.*

*Councilor de la Cruz attended the joint meeting with the Board of Education in November.*

*Councilor Frink attended the joint meeting with the Board of Education and the Fitch High School Aluminum Falcons Robotics Team presentation. He commented on the quality of the items that the team's printer produced.*

*Councilor Moravsik attended the joint meeting with the Board of Education, the Fitch High School Aluminum Falcons Robotics Team presentation, the Groton Sail Steering Committee meeting, and the Boating Advisory Committee meeting.*

*Mayor Schmidt attended the COG meeting, the Groton Sail Steering Committee meeting, a ribbon cutting ceremony for the new accounting firm of Garby & Steel, the Fitch High School Aluminum Falcons Robotics Team presentation, and the joint meeting with the Board of Education. She reported a call from a resident who is very concerned about skunks and rodents that are attracted to rubbish in their neighbor's yard. She received a phone call from a neighbor concerning parking on Bank Street. She also received the email from Ed Johnson regarding the demolition of the Noank School. She reported on the business of the Committee of the Whole.*

**b. Clerk of the Representative Town Meeting**

*The RTM will be meeting on December 10th at 7:30 pm in the Senior Center Auditorium.*

**c. Clerk of the Council**

*The Town Clerk reported that Kim Shepardson Watson is the new Board of Education Chair and Rita Volkmann is the new Vice-Chair. She received Kirsten Hoyt's resignation letter from the Board of Education with an effective date of March 31, 2015. The oath of office was administered to Bonnie Ann Nault as an Alternate Member on the Historic District Commission.*

**d. Town Manager**

*The Town Manager reported items that are listed in the Weekly Status Report. He reminded the Council that December 11th is the next Permanent School Building Committee meeting and the Committee has invited the Town Council and the RTM to attend. He explained a memo that he distributed from OPDS Director Jon Reiner regarding a grant application.. He offered his comments on items that had been discussed earlier in the meeting. He announced that the Town's long-time Treasurer, Cindy Landry, is now the Finance Director.*

**VIII. COMMITTEE REPORTS**

**a. Community Relations - Chairman de la Cruz**

*No meeting, no report.*

**b. Finance - Chairman Frink**

*Finance Chairman Frink read his report. The report is on file in the Town Clerk's Office.*

**c. Personnel & Appointments - Chairman Flax**

*No meeting, no report. Chairman Flax requested two referrals to his committee to discuss reappointment procedures.*

**d. Rules - Chairman Frink**

*No meeting, no report.*

**e. Committee of the Whole - Mayor Schmidt**

*Mayor Schmidt reviewed the meeting of the Committee of the Whole and noted the items that are on the agenda for this evening.*

**IX. NEW BUSINESS**

**2014-0326 Transfer of Funds for Land Use Regulatory Review and Market Analysis and Review**

**RESOLUTION ALLOCATING FUNDS FOR LAND USE REGULATORY REVIEW AND MARKET ANALYSIS AND REVIEW**

WHEREAS, the Town has solicited Requests for Qualifications to conduct a land use regulatory review and a market analysis and review, and

WHEREAS, the cost of these studies is estimated to be approximately \$25,000 for the land use regulatory review; \$100,000 for the market analysis and review, and

WHEREAS, the transfer of funds is not allowed by Town Charter unless it is a fourth quarter transfer; now therefore be it

RESOLVED, that \$125,000 shall be used from Legislative-Initiatives (#10017).

**A motion was made by Councilor Watson, seconded by Councilor de la Cruz, that this matter be Adopted as Amended.**

*The Town Manager advised the Town Council not to support this motion, explaining that the Town Attorney advised several alternative proposals. He stated that transferring funds from one account to another can only be done during the fourth quarter, according to the Town Charter.*

*Councilor Moravsik moved to amend the motion, seconded by Councilor Cerf, to use funds from the Legislative-Initiatives account to fund the expenditures. Discussion followed and it was determined that the appropriate procedure would be to amend the Resolution. The amendment was withdrawn by Councilor Moravsik.*

*Councilor Cerf agreed that funding these proposals through the appropriate account, Legislative/Initiatives, would allow better access for direction from the Town Manager and the Director of OPDS.*

*Councilor Antipas made a Point of Order and stated that the action the Town Council advertised is listed as a fund transfer. He questioned whether the procedure of amending the resolution was appropriate through Robert's Rules of Order.*

*Councilor Frink was concerned that the RTM should have the opportunity to approve this measure. He suggested waiting on the action until the Town Manager has the opportunity to talk to the RTM.*

*The Town Manager offered alternative language for the resolution that includes the understanding that a transfer of funds is only allowable in the fourth quarter per Town Charter. He plans to inform the RTM of this action and report back to the Town Council.*

*Councilor Watson made a motion to amend the resolution, seconded by Councilor Moravsik, to allocate funds from the Legislative account 10017 for land use regulatory review and market analysis and review.*

*Councilor Antipas stated that he will not support the motion. He stated that he disagrees with the parliamentary procedure.*

**The motion carried by the following vote:**

**Votes:** In Favor: 7 - Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik and Councilor Watson  
Opposed: 1 - Councilor Antipas

**2014-0327 Noank School Demolition**

RESOLUTION AUTHORIZING THE ALLOCATION OF \$125,000 OF CAPITAL RESERVE FUND BALANCE TO THE VACANT SCHOOL PROPERTIES (NOANK SCHOOL DEMOLITION) PROJECT

WHEREAS, \$480,000 was approved in the FYE 2015 capital improvement budget for a project to remove the underground oil tank at Noank School and demolish the building, and

WHEREAS, current bids for the project received from eight contractors range from \$539,000 to \$1,141,899, and

WHEREAS, additional funding in the amount of \$125,000 is necessary to meet the low bid shortfall of \$65,000, provide \$50,000 for contingency, and provide \$10,000 for abatement monitoring, now therefore be it

RESOLVED, that the Town Council authorizes the allocation of \$125,000 from Capital Reserve Fund Balance to project 6)G) Vacant School Properties.

Refer to RTM under Rule 6.5.3.

**A motion was made by Councilor Moravsik, seconded by Councilor Frink, that this matter be Adopted and referred under Rule 6.5.3 to the Representative Town Meeting.**

**The motion carried by the following vote:**

**Votes:** In Favor: 7 - Mayor Schmidt, Councilor Cerf, Councilor de la Cruz, Councilor Flax, Councilor Frink, Councilor Moravsik and Councilor Watson  
Opposed: 1 - Councilor Antipas

**X. OTHER BUSINESS**

*Councilor Watson moved to suspend the rules, seconded by Councilor de la Cruz, in order to discuss applying for a Bloomberg Grant. The motion carried unanimously.*

**2014-0333 Bloomberg Foundation Public Art Challenge Grant**

BLOOMBERG FOUNDATION PUBLIC ART CHALLENGE PROGRAM

RESOLVED, that the Town Council hereby authorizes Town Manager Mark R. Oefinger to allocate fund up to the amount of \$1000.00. The funds will support the Town of Norwich toward the service of a grant writer to complete the application for the Bloomberg Foundation Public Art Challenge. This effort is also being partnered with Ledyard, Montville, New London, Norwich, and Waterford.

**A motion was made by Councilor Moravsik, seconded by Councilor de la Cruz, that this matter be Adopted.**

*Town Manager explained the need for this application and the proposed use of up to \$1000 toward a grant writer. The funding would be allocated from the OPDS budget for Economic Development. Groton would be partnering with New London, Montville, Waterford, Norwich and Ledyard for temporary installations of locally manufactured art sculptures, with three to be installed in the Thames River.*

*Councilor Flax asked if the other five communities are working on supporting this measure. Town Manager confirmed that each community was in the process of obtaining funding.*

*Councilor Antipas expressed his reservations, but stated he will support the measure.*

*Councilor de la Cruz offered his support of the measure up to \$1000.*

**The motion carried unanimously**

**XI. ADJOURNMENT**

*A motion to adjourn at 8:40 pm was made by Councilor Watson and so taken.*

*Attest:*

*Betsy Moukawsher, Town Clerk  
Clerk of the Council*